

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 07-CR-20414

v.

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

D-1 GEOFFREY FIEGER,
D-2 VERNON JOHNSON,

Defendant,

ORDER

(1) STRIKING AS DUPLICATIVE, DEFENDANT FIEGER'S SECOND MOTION FOR DISCOVERY AND HEARING ON SELECTIVE AND VINDICTIVE PROSECUTION
(2) CAUTIONING COUNSEL TO CEASE FILING MOTIONS THAT UNREASONABLY
AND VEXATIOUSLY MULTIPLY THE PROCEEDINGS

On August 30, 2007, Defendant Fieger filed a Motion to Dismiss for Selective and Vindictive Prosecution. On Page 20 of the Brief, Defendant stated:

Accordingly, Defendants respectfully request that this Honorable Court allow Mr. Fieger discovery on his claim that he has been vindictively selected for political prosecution, conduct an evidentiary hearing on the same, and grant his motion to dismiss the governments indictments.

(emphasis added).

On September 10, 2007, Defendant Fieger filed a Motion for Discovery and Evidentiary Hearing on Selective and Vindictive Prosecution.

This motion of September 10, 2007 is duplicative of the August 30, 2007 – both seek discovery/evidentiary hearing on Defendant's claim of Selective and Vindictive Prosecution.

Accordingly, the Court strikes the duplicative motion filed on September 10, 2007.

The Court also cautions all five counsel for the defendant, Messrs. Gerald L. Spence, David Nevin, Thomas W. Cranmer, Mayer Morganroth and Michael R. Dezsi, that the instant conduct violated 28 U.S.C. § 1927 in that it unreasonably and vexatiously multiplied the proceedings in this case. The Court presumes that all five defense counsel, who are each responsible for every pleading and paper filed on behalf of their client, will assure that this conduct will not occur again.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: September 13, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 13, 2007.

s/Denise Goodine

Case Manager